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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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LIB
D. Adcock

September 19, 1990

Mr. Allen Childs
Genwal Coal Company, Inc.
P. O. Box 1201
Huntington, Utah 84528

Dear Mr. Childs:

Re: Unresolved NOVs, Genwal Coal Company, Crandall Canyon Mine, ACT/015/032, Emery County, Utah

I am writing to voice my concern over what appears to be an increase in the number of Notices of Violation (NOVs) issued at the Crandall Canyon Mine site in the past 30 to 40 days.

My records indicate seven NOVs have been issued since August 15, 1990:

N90-17-03-02

**1 of 2 - August 15, 1990 - Substation

*2 of 2 - August 15, 1990 - Stream Buffer Zone

**N90-18-01-01 - August 16, 1990 - Offsite Equipment Storage

N90-17-04-02

**1 of 2 - September 5, 1990 - Diversion Alterations

*2 of 2 - September 5, 1990 - Improper Culvert Sizing 12" vs 24"

N90-17-05-02

*1 of 2 - September 7, 1990 - Subsidence Monitoring

*2 of 2 - September 7, 1990 - Water Monitoring

Note: * Permit compliance
** Unauthorized activity

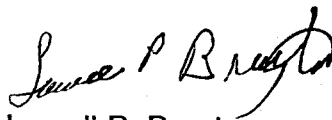
While the facts of these violations have not been established through formal appeals procedures, the issuance of the violations would suggest that mining activities at the Crandall Canyon Mine may be progressing in advance of the permit approval procedures required by the regulations. Regardless of the outcome of the appeal and review procedures for these violations, I feel I must take this opportunity to remind you that mining activities must be conducted in accordance with approved plans, and that implementation of mining activities is not permitted prior to approval by the Division.

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Adherence to the concept of acquiring approval prior to mining can significantly reduce the number of violations issued by the Division, which in turn precludes the possibility of establishing a pattern of violations that in itself could jeopardize future mining operations.

Please feel free to call me or members of my staff concerning resolution of these or future compliance or permitting issues.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lowell P. Braxton".

Lowell P. Braxton
Associate Director, Mining

vb
MI78/115